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UNCLAS ROME 003262

SIPDIS

E.O. 12958: N/A

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SUBJECT: Civair: Italian Response to U.S.-Linate  
Codeshare proposal

Ref: A) State 159355; B) Rome 1846; C) State 55375

1. On July 23, Embassy delivered ref A talking points on U.S. carrier complaints regarding Alitalia/Air France codeshare operations at Milan's Linate Airport to Aldo Sansone, Director General for Civil Aviation in the Ministry of Transport. In Sansone's response, he denies illegitimate and discriminatory acts against the U.S. companies wishing to offer codeshare services between Linate and other EU airports.

2. Sansone's argument is the following: Both Air France and Alitalia have the right to offer services between Linate Airport and Paris, under the bilateral civil aviation agreement between Italy and France and EU regulations. Therefore, the GOI must permit Air France and Alitalia to code-share between Linate and Paris (two intra-EU airports). However, U.S. airlines do not have the right to offer services between Linate and other intra-EU destinations (such as London and Frankfurt). Therefore, U.S. airlines may not codeshare to/from those destinations.

3. Informal translation of Sansone's statement is as follows:

Begin Text:

Linate Airport is not open to intercontinental services nor to segments thereof;

In this context and in a regime of equal treatment, Delta's request to operate codesharing with Alitalia out of Linate has not been approved, and no other consideration will be given to this request, notwithstanding Delta's alliance with Alitalia;

Passengers departing Linate may freely chose connections with any other airport, with any company they wish to fly, to any destination, as is the case in any local, national or regional airport of the world, without changing the nature of traffic or of services provided at the departure airport;

The codesharing rights of U.S. companies set out in the existing bilateral agreement, as with any traffic rights, refer to cities and not to individual airports within an airport system, and the distribution of services can be determined by the competent authorities.

The existing U.S.-Italy Air Services Agreement does not provide for seventh freedom rights and, therefore, intra-EU point-to-point services by U.S. carriers exceed the limits of the agreement.

With particular respect to Air France, that company operates both direct and codeshare services between Linate and Paris, provided for and consented to by existing regulations, but these services are only in connections with other connections from Paris to the United States, in conformity with international procedure, as is expressly set forth in the same Internet site to which the U.S. Embassy refers.

End Text.

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2004ROME03262 - Classification: UNCLASSIFIED